

## Rodriguez, Krystal (ECY)

---

**From:** Rodriguez, Krystal (ECY)  
**Sent:** Thursday, March 24, 2011 11:34 AM  
**To:** 'Nes inc'  
**Subject:** I got your phone message

Hi Kevin,

I got your message. Please be sure when you mark the wells that you sampled that you also indicate which sample you collected goes with which well. Based on your phone message, I wasn't sure you understood that I needed that type of information.

Krystal

Krystal Rodriguez | UST/Toxics Cleanup Program | Department of Ecology | 509.454.7290  
15 W Yakima Ave., Suite 200, Yakima, WA 98902 | fax: 509-575-2809 | cell: 509.388.4792



Please consider the environment before printing this e-mail



Ecology Website link

Flying B 29  
10-7-10-889

**Rodriguez, Krystal (ECY)**

---

**From:** Rodriguez, Krystal (ECY)  
**Sent:** Thursday, March 24, 2011 9:32 AM  
**To:** 'Flyingb 27'  
**Subject:** FW: SHORT STOP LLC APPLICATION

Hello Gary,

I just heard back from Xyzlinda with PLIA. She could not suggest any new ideas to help you obtain insurance for Flying B 29. We will have to hope that Colony is willing to write the policy. Please let me know when you hear back from Michael H. or Michelle W.

Krystal

**From:** Rodriguez, Krystal (ECY)  
**Sent:** Wednesday, March 23, 2011 4:05 PM  
**To:** 'Flyingb 27'  
**Subject:** RE: SHORT STOP LLC APPLICATION

Hi Gary,

I've contacted Xyzlinda Marshall at PLIA after receiving your email. I explained your situation and forwarded your email to her. She is looking to see if there are other options for you. However, in the meantime, she suggested that you give Great American a try since Michael didn't list that company in his email below.

Please continue to keep me informed.

Krystal

**From:** Flyingb 27 [mailto:flyingb27@yahoo.com]  
**Sent:** Wednesday, March 23, 2011 2:55 PM  
**To:** Rodriguez, Krystal (ECY)  
**Subject:** Fwd: SHORT STOP LLC APPLICATION

Gary Bains

Begin forwarded message:

**From:** Michael Huh <huhmichael@yahoo.com>  
**Date:** March 23, 2011 1:59:24 PM PDT  
**To:** flyingb27@yahoo.com  
**Subject:** Fw: SHORT STOP LLC APPLICATION

Hi, Ben

We didn't get much luck with EIA in Portland. They looked in to many companies and they all denied because of the tank ages.  
Please read the e-mail response below from EIA.

Michele at Colony forwarded the documents to the home office of Colony and that will be our last hope.

I will let you know as soon as I hear from Michele.

Michael.

----- Forwarded Message -----

**From:** Taylor Elliott <[taylor@eiains.com](mailto:taylor@eiains.com)>

**To:** Michael Huh <[huhmichael@yahoo.com](mailto:huhmichael@yahoo.com)>

**Sent:** Tue, March 22, 2011 3:58:00 PM

**Subject:** RE: SHORT STOP LLC APPLICATION

American Safety can't quote this due to the tank age and the open release. Per our underwriting guidelines American Safety will only quote tanks that are installed in the last 30 years. Since the tanks are over 30 years old and there is an open release American Safety can't quote.

Zurich declined due to the tank age. Zurich is only writing tanks installed in the last 25 years. They are non-renewing all storage tanks over 25 years.

Other storage tank markets such as Freberg, Hudson, and ACE denied due to the tank age.

The only market that writes older storage tank is Colony. We don't have access to Colony.

I wish I could help you further but the combination of the old tanks plus the open release prevents all the insurance companies we deal with from writing this risk.

Thanks-

Taylor Elliott

Environmental Insurance Agency  
PO Box 23605  
Portland, Oregon 97281  
Phone: 800-977-3335 or 503-977-3333  
FAX: 503-977-3334  
Email: [taylor@eiains.com](mailto:taylor@eiains.com)

[www.eiains.com](http://www.eiains.com)

**From:** Michael Huh [<mailto:huhmichael@yahoo.com>]

**Sent:** Tuesday, March 22, 2011 2:52 PM

**To:** [taylor@eiains.com](mailto:taylor@eiains.com)

**Subject:** Fw: SHORT STOP LLC APPLICATION

Hi, Taylor

I am reforwarding the e-mail I sent on Jan. 24th. It is under Short Stop LLC

Thanks. Michael.

----- Forwarded Message -----

**From:** Michael Huh <[huhmichael@yahoo.com](mailto:huhmichael@yahoo.com)>

**To:** [JUANITA@EIAINS.COM](mailto:JUANITA@EIAINS.COM)

**Cc:** [SYUN.HUHN01@INSUREMAIL.NET](mailto:SYUN.HUHN01@INSUREMAIL.NET); [huhmichael1013@yahoo.com](mailto:huhmichael1013@yahoo.com)

Flying B 29  
West 100-89

**Rodriguez, Krystal (ECY)**

---

**From:** Rodriguez, Krystal (ECY)  
**Sent:** Thursday, March 24, 2011 7:58 AM  
**To:** 'Nes inc'  
**Subject:** FW: Flying B 29 groundwater sampling  
**Attachments:** flying b 29 site map.pdf

Hello Kevin,

I have not received a response from you regarding the questions I asked in my previous email. I need this information as soon as possible.

Krystal

Kevin called 3/24/11 saying  
he'd get back to me tonight  
w/ answers to these Qs.

**From:** Rodriguez, Krystal (ECY)  
**Sent:** Thursday, March 17, 2011 10:14 AM  
**To:** 'Nes inc'; Gary Bains; Ben Flying B; george webster  
**Subject:** RE: Flying B 29 groundwater sampling

Hi Kevin,

Thank you for sending me the lab results yesterday. I definitely did not receive this report at an earlier date.

I reviewed the groundwater sampling results collected from Flying B 29. Please respond to the comments and questions below at your earliest convenience.

1. There is no site map included to describe which wells the samples represent. Your description below does not provide enough explanation. For your convenience, I have enclosed a site map from the 1991 investigation report. Please use it to provide me sample location information.
2. The contaminant levels appear to be extremely high (higher than in 1991). Did you measure free product in any of the wells?
3. Did you measure depths to groundwater at each well? If so, what are the measurements?

I look forward to hearing from you.

Sincerely,  
Krystal

**From:** Nes inc [mailto:nesinc@hotmail.com]  
**Sent:** Wednesday, March 16, 2011 4:36 PM  
**To:** Gary Bains; Ben Flying B; Rodriguez, Krystal (ECY); Nes inc; george webster  
**Subject:** FW: Flying B

Hi Krystal,

There hot, I don't have the original samples from the LUST list to compare to. Two of the well's are damaged and couldn't retrieve samples all wells are in bad shape (loose lids, no caps, broken containments etc.). The center well is directly west of the pump island. These are the from center and North part of the lot. To click on all documents look at the lower tabs and hit on the additional information. Kevin



Flying B 19  
KST 10587

**Rodriguez, Krystal (ECY)**

---

**From:** Flyingb 27 [flyingb27@yahoo.com]  
**Sent:** Wednesday, March 23, 2011 2:55 PM  
**To:** Rodriguez, Krystal (ECY)  
**Subject:** Fwd: SHORT STOP LLC APPLICATION

Gary Bains

Begin forwarded message:

**From:** Michael Huh <huhmichael@yahoo.com>  
**Date:** March 23, 2011 1:59:24 PM PDT  
**To:** flyingb27@yahoo.com  
**Subject:** Fw: SHORT STOP LLC APPLICATION

Hi, Ben

We didn't get much luck with EIA in Portland. They looked in to many companies and they all denied because of the tank ages.

Please read the e-mail response below from EIA.

Michele at Colony forwarded the documents to the home office of Colony and that will be our last hope.

I will let you know as soon as I hear from Michele.

Michael.

----- Forwarded Message -----

**From:** Taylor Elliott <taylor@eiains.com>  
**To:** Michael Huh <huhmichael@yahoo.com>  
**Sent:** Tue, March 22, 2011 3:58:00 PM  
**Subject:** RE: SHORT STOP LLC APPLICATION

American Safety cant quote this due to the tank age and the open release. Per our underwriting guidelines American Safety will only quotes tanks that are installed in the last 30 years. Since the tanks are over 30 years old and there is an open release American Safety can't quote.

Zurich declined due to the tank age. Zurich is only writing tanks installed in the last 25 years. They are non-renewing all storage tanks over 25 years.

Other storage tank markets such as Freberg, Hudson, and ACE denied due to the tank age.

The only market that writes older storage tank is Colony. We don't have access to Colony.

I wish I could help you further but the combination of the old tanks plus the open release prevents all the insurance companies we deal with from writing this risk.

Thanks-

Taylor Elliott

Environmental Insurance Agency  
PO Box 23605  
Portland, Oregon 97281  
Phone: 800-977-3335 or 503-977-3333  
FAX: 503-977-3334  
Email: [taylor@eiains.com](mailto:taylor@eiains.com)

[www.eiains.com](http://www.eiains.com)

**From:** Michael Huh [<mailto:huhmichael@yahoo.com>]  
**Sent:** Tuesday, March 22, 2011 2:52 PM  
**To:** [taylor@eiains.com](mailto:taylor@eiains.com)  
**Subject:** Fw: SHORT STOP LLC APPLICATION

Hi, Taylor

I am refowarding the e-mail I sent on Jan. 24th. It is under Short Stop LLC

Thanks. Michael.

----- Forwarded Message -----

**From:** Michael Huh <[huhmichael@yahoo.com](mailto:huhmichael@yahoo.com)>  
**To:** [JUANITA@EIAINS.COM](mailto:JUANITA@EIAINS.COM)  
**Cc:** [SYUN.HUHN01@INSUREMAIL.NET](mailto:SYUN.HUHN01@INSUREMAIL.NET); [huhmichael1013@yahoo.com](mailto:huhmichael1013@yahoo.com)  
**Sent:** Mon, January 24, 2011 8:11:25 PM  
**Subject:** SHORT STOP LLC APPLICATION

HI, JUANITA / TAYLOR

Please review and give us a quote.

First 4 attachment are from Krystal at the Dept. of Ecology and the 5th one is the application.

Please read the application first.

Thank you.

Michael Huh

Michael Huh Insurance Agency, Inc.

----- Forwarded Message -----

**From:** "Rodriguez, Krystal (ECY)" <[krod461@ECY.WA.GOV](mailto:krod461@ECY.WA.GOV)>  
**To:** Michael Huh <[huhmichael@yahoo.com](mailto:huhmichael@yahoo.com)>  
**Sent:** Fri, January 21, 2011 9:10:32 AM  
**Subject:** RE: request for information

Good morning, Michael. Per your request, attached is a copy of the Soil and Groundwater Investigation Report. I have scanned the entire document, which resulted in four PDF files. The core of the report is found in the file simply called "flying b29 investigation report". You may also be interested in printing Figure 1, which was omitted from the scan of the report because it was too large to easily scan with the other pages.

Please let me know if you need any additional information.

Krystal

**From:** Michael Huh [mailto:huhmichael@yahoo.com]  
**Sent:** Thursday, January 20, 2011 3:58 PM  
**To:** Rodriguez, Krystal (ECY)  
**Cc:** [bflyingb27@yahoo.com](mailto:bflyingb27@yahoo.com)  
**Subject:** Re: request for information

Hello, Krystal,

Thank you so much for taking time to speak with me this afternoon too. I appreciaed that. Per our conversation, my agency needs a copy of "Soil and Groundwater Investigation Report" to forward to Colony Pollution Liability Insurance Co., so that they can determine if they will be able to issue a quote on the mentioned site. You certainly gave us a starting point because we didn't know where to start or begin with. Thank you very much.

Sincerely,

Michael Huh

Michael Huh Insurance Agency, Inc.  
1275 12th Ave. NW Ste.#3  
Issaquah, Wa 98027  
Tel: 425-427-8184  
Fax: 425-427-0821  
Cell: 253-632-0527

---

**From:** "Rodriguez, Krystal (ECY)" <[krod461@ECY.WA.GOV](mailto:krod461@ECY.WA.GOV)>  
**To:** [huhmichael@yahoo.com](mailto:huhmichael@yahoo.com)  
**Sent:** Thu, January 20, 2011 2:17:12 PM  
**Subject:** request for information

Hello Michael,

Thank you for speaking with me today about the problems associated with the Flying B insurance policy. You requested a copy of an environmental consultant's report for monitoring well installation and sampling work completed at this site. Before I can send you a copy, I'll need you to submit a formal request. This can be in the form of an email. The report you would like a copy of is titled Soil and Groundwater Investigation Report.

Sincerely,  
Krystal

Krystal Rodriguez | UST/Toxics Cleanup Program | Department of Ecology | 509.454.7290  
15 W Yakima Ave., Suite 200, Yakima, WA 98902 | fax: 509-575-2809 | cell: 509.388.4792



Please consider the environment before printing this e-mail



## Rodriguez, Krystal (ECY)

---

**From:** Gurinder Bains [flyingb27@yahoo.com]  
**Sent:** Friday, March 18, 2011 7:04 PM  
**To:** Rodriguez, Krystal (ECY)  
**Subject:** Re: Flying B 36 NONC requirements (UST 10775) and status of insurance at Flying B 29 (UST 10589)

Hi Krystal,

i have already talk to kevin about the corrosion protection and he is working on that part. About the Flying B # 29 insurance, i have consulting with Micakeh Hun lets see something will come up by next week. Also Gary will call you on monday to discuss about Flying B #29.

Have a great weekend.

Thanks,

Ben  
5098592748

---

**From:** "Rodriguez, Krystal (ECY)" <krod461@ECY.WA.GOV>  
**To:** Gurinder Bains <flyingb27@yahoo.com>  
**Sent:** Thu, March 17, 2011 10:24:56 AM  
**Subject:** RE: Flying B 36 NONC requirements (UST 10775) and status of insurance at Flying B 29 (UST 10589)

Hello Nabin,

I received your fax Tuesday afternoon. Thanks for your quick response. You did not mention anything in your email about whether or not Kevin has verified that UST system steel components are protected from corrosion at the Flying B 36 station. This work was required to be completed by March 1<sup>st</sup>. I spoke with Kevin yesterday to remind him of this requirement and also that he has not submitted a completely filled out Cathodic Protection Evaluation Checklist to Ecology for Flying B 29. This is another outstanding compliance action.

As for groundwater samples collected from Flying B 29, I spoke to Kevin about this yesterday. He sent both you and me a copy of the laboratory results (please see comments in my response to that email), which he received on February 14, 2010. One month has passed since this information became available and, according to Michael Huh (your insurance broker) and Michelle Williams (Griffin Underwriting), no additional efforts have been made through them to obtain an insurance policy. Unfortunately, while you waited for this information, you put yourself at risk of an uninsured release or accident and in a position of being out of compliance for a longer period of time.

Ecology considers non-compliance relating to lack of insurance a serious violation. Because you came to speak with me about this matter, I wanted to give you time to correct this on your own. However, as of today, two months have passed. Therefore, I have no choice but to pursue this issue through the enforcement process. I will be mailing you a Notice of Non-Compliance (NONC) for failure to provide proof of financial responsibility for the UST system at Flying B 29. The NONC will provide you with a short deadline to obtain an insurance policy.

If the groundwater sampling results do not provide Colony with the information they need to insure this UST system, I recommend you contact the Pollution Liability Insurance Agency (1.800.822.3905) immediately. They can provide guidance on how best to acquire an insurance policy and may be able to direct you to other insurance companies that are more flexible with the conditions at your site. If you are unable to obtain



insurance, you may be issued a penalty and/or required to temporarily close the UST system. I would like for it not to come to this.

I am writing this email because I wanted to give you some notice before you received the NONC. Please contact me with any questions or if I can help you in any way to obtain insurance.

Krystal

**From:** Gurinder Bains [<mailto:flyingb27@yahoo.com>]

**Sent:** Tuesday, March 15, 2011 4:22 PM

**To:** Rodriguez, Krystal (ECY)

**Subject:** Re: Flying B 36 NONC requirements (UST 10775) and status of insurance at Flying B 29 (UST 10589)

hi Krystal,  
thank you for your follow up. The leak test report from flying B #36 and #27 was already faxed to you on 02/28/2011, seems like you haven't received yet. I am going to fax you tonight and about the Flying B #29 Kevin is working on that part for sampling from the wells, as soon as i hear something form him will let you know ASAP.

Thank you,

Nabin Joshi  
Flying B  
509-859-2748

---

**From:** "Rodriguez, Krystal (ECY)" <[krod461@ECY.WA.GOV](mailto:krod461@ECY.WA.GOV)>

**To:** Gurinder Bains <[flyingb27@yahoo.com](mailto:flyingb27@yahoo.com)>

**Sent:** Tue, March 15, 2011 11:13:27 AM

**Subject:** Flying B 36 NONC requirements (UST 10775) and status of insurance at Flying B 29 (UST 10589)

Hello Gary and Nabin,

I wanted to check in with you because a couple items are overdue at Flying B 36. Specifically, I have not received copies of your February leak test reports or documentation that steel components (turbines and flex connectors) of your piping system are protected from corrosion. Please submit this information as soon as possible.

Also, do you have any information about tank insurance at Flying B 29? I will need to move forward with enforcement on this site since the situation, as it stands, is unacceptable. You have owned it for more than three months and you have not been able to demonstrate financial responsibility the entire time. In total, the tanks have been uninsured since the end of September.

Please respond to this email immediately.

Sincerely,  
Krystal

Krystal Rodriguez | UST/Toxics Cleanup Program | Department of Ecology | 509.454.7290  
15 W Yakima Ave., Suite 200, Yakima, WA 98902 | fax: 509-575-2809 | cell: 509.388.4792



Please consider the environment before printing this e-mail



Ecology Website link